

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
February 17, 2015**

Members Present:

Diana Doutre
Lyle Holmgren - excused
Jeff Reese
Bret Rohde
Byron Wood
Roger Fridal, Mayor
Shawn Warnke, City Manager
Darlene S. Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the February 17, 2015 City Council Workshop to order at 6:02 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Reese, Rohde, and Wood, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: City Attorney Dustin Ericson, Public Works Director Paul Fulgham, Librarian Kim Griffiths, and Police Chief David Nance. Councilmember Holmgren was excused.

Mayor Fridal welcomed all in attendance and thanked the representatives from Garland Library and the State Library for attending tonight. Mayor Fridal presented books to Councilmembers Wood and Doutre, and Manager Warnke with ideas for leadership. It is a good book with great ideas.

1. Review of agenda items on the 7:00 p.m. Council Meeting:

The Council reviewed the February 17, 2015 Agenda with the following items being discussed in more detail:

Forming a small consortium between Tremonton and Garland Libraries. Librarian Griffiths explained that the Libraries are working on getting policies from both Libraries to mesh. The grant proposal is still being put together. Brad Rhodes from the Bookmobile was contacted about joining the consortium. Mr. Rhodes is not in a position to join, but thinks it is a good idea. Mr. Rhodes will like to be kept informed and up to date on the consortium. Mr. Rhodes is happy with his integrated library system (ILS) and is not interested in joining with the ILS at this time.

Mayor Fridal asked for confirmation that once the two Libraries form a consortium, residents from the county will be invited to join free of charge. Both Libraries agreed that is the plan. Librarian Griffiths believes it is written in the fee schedule that way. Councilmember Wood thinks it is a great idea and will help bring people to town.

Garland Librarian Danielle Rasmussen is very excited and thinks it will be great. Garland City approved the Consortium and everything last week. Librarian Rasmussen stated there was no opposition from Garland City Council.

December Warrant Register. Councilmember Wood asked about the charges to Econo Waste. It lists Cemetery garbage for \$23K in December. Director Fulgham thought it was the entire bill for the City, just listed as Cemetery. There were some other charges for the Zion's Bank that looked quite high for the charge listed. Councilmember Rohde asked if there was a way to itemize the invoices better. Councilmember Doutre still likes having the description added to the check register. Director Fulgham explained that the descriptions come from the purchase orders. Councilmember Wood asked about the check to UTOPIA for \$28K. Recorder Hess stated it was the monthly charge paid to UTOPIA for debt service attributed to the construction of the network.

Resolution No. 15-12. Councilmember Doutre asked how much was collected last year for library cards. Librarian Griffiths stated it was \$1,600, with \$500 coming from Garland residents. The amount the City stands to lose from charging Garland residents is not that much and it will improve the City's chances of acquiring the grant. Garland and Tremonton Libraries will submit the grant paperwork together.

Manager Warnke commented that the costs for new garbage cans will increase. Director Fulgham explained that the cost of a new garbage can is \$89. The City use to charge \$90, but has changed the fee to \$100 to help cover the administrative costs associated with new cans. The price per can has risen over the years. A new can use to cost the City \$69. The fee only applies to new residents as part of a new building permit. Mayor Fridal asked if the fee applies to residents in apartment buildings. Director Fulgham commented that the apartments with four units or less have a garbage can, and units with more than four units must have a dumpster.

Surplus Recreation Truck. Manager Warnke noted that U-31 use to belong to the Fire Department and is currently in the Recreation Department. The vehicle is a 1981 truck and has been replaced with another used truck from Public Works. The vehicle is used by the seasonal parks employee who prepares fields for baseball and other duties. Director Fulgham obtained the old Animal Control vehicle and then transferred another vehicle to Parks and Recreation. Councilmember Doutre asked if the old Recreation Truck would be put up for sale. Director Fulgham noted that would be up to Director Christensen. The vehicle still runs, but not too many people would want it, except for parts.

Reappointing Planning Commission members. Councilmember Rohde noted that four appointments are open on the Planning Commission. Councilmember Rohde contacted all members, except Jared Summers, and they would all like to be reappointed. Councilmember Rohde will try to contact Mr. Summers between the work session and City Council Meeting to see if he would like to be reappointed. Ben Greener will be replacing Rick Seamons.

Ordinance No. 15-02. Manager Warnke reminded the Council there would be an RDA (Redevelopment Agency) Meeting this evening. The adoption of Ordinance No. 15-02 must take place after the RDA adopts Resolution No. RDA 15-01 and after the Public Hearing. In the public notice, which had to be sent out 30 days in advance the public hearing was scheduled for 8:15 p.m. The Resolution the RDA will consider and Ordinance No. 15-02 that the City Council will consider are essentially the same with some slight variation in the Ordinance as the State Code requires different noticing elements be placed in the Ordinance, specifically as an Exhibit. Attorney Ericson stated that Resolution No. RDA 14-09 authorized the RDA to move forward with preparing the Tremont Center Community Development a Project Area Plan. The Tremont Center Community Development Project Area Plan was created in large part by Zions Bank Public Finance, with input from Manager Warnke and staff members.

Manager Warnke has prepared a presentation to present at the RDA Meeting this evening. It is anticipated that a few people will be in attendance this evening as Manager Warnke received calls about the Tremont Center Community Development Project Plan Area and what is planned for the area. In July of 2014, the Council identified a Study Area and thereafter the preparation of a Project Area Plan by adopting Resolution No. RDA 14-09. The Study Area and Project Area are shaped a little funny as it follows parcel lines. It is easier for the County Assessor and County Auditor during the tax collection process, if the Project Area follows the parcel lines instead of splitting a parcel and then trying to determine the percentage of the parcel and how the corresponding tax should be distributed. All property tax that is generated within the Project Plan Area, above the base year (which would be the 2015 tax year), would be called Tax Increment. The Project Plan Area identifies the base year, estimates the growth in property values and corresponding tax increment that is estimated to be available to the RDA. The Tremont Center Community Development Project Plan Area also identifies the boundary where the RDA could make improvements by spending the tax increment.

As noted before if the RDA approves Resolution No. RDA 15-01, then the Council can consider adopting Ordinance No. 15-02. Once the two documents are in place, the City and RDA can move forward with all the noticing requirements in the State Code, and approach the different taxing entities about considering adopting an inter-local agreement authorizing the RDA to receive a portion of the tax increment. Manager Warnke noted that City staff has contacted Box Elder County, Box Elder County School District, Mosquito Abatement District, and the Bear River Water Conservancy and had discussion on an administrative level, not the governing body, about the Tremont Center Community Development Project Area Plan. The governing body would need to adopt the inter-local agreement. On an administrative level, the taxing entities seemed to support the proposed Project Area Plan and Manager Warnke is optimistic that the governing bodies will be in favor also.

The taxing entities will be contacted within the next 4-6 weeks. The proposal for the Tremont Center Community Development Project Area Plan, which will be included in the inter-local agreement, will propose a fifteen year project period. During the fifteen year period, the RDA will receive 75% of the increment or up to \$4.3M. If the RDA

receives \$4.3M before the 15 year period, the RDA would dissolve the project area. Some of the infrastructure and improvements that have been contemplated within the Project Area include: 1) burying the canal on Main Street; 2) improvements along Main Street, including street trees, street lights; 3) façade grants; 4) public realm improvements, which give a lot of flexibility; and 5) looping of a water line. The primary growth in property values are attributed to the development of a thirty-eight acre greenfield site which is located at the corner of 400 West and Main Street. The thirty-eight acres were identified as a catalyst site, by the SDAT (Sustainable Design Assessment Team) and would help improve and revitalize the older parts of Main Street through the use of tax increment.

Motion by Councilmember Reese to move into Closed Session. Motion seconded by Councilmember Doutre. Roll Call Vote: Councilmember Doutre – aye, Councilmember Reese – aye, Councilmember Rohde – aye, Councilmember Wood – aye. Motion approved.

The Council moved into closed session at 6:26 p.m.

2. **Closed Sessions.**

- a. **Strategy session to discuss pending and/or reasonably imminent litigation.**
- b. **Strategy session to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.**
- c. **Health, mental health, character and competency of an individual.**

Motion by Councilmember Reese to return to open meeting. Motion seconded by Councilmember Doutre. Roll Call Vote: Councilmember Doutre – aye, Councilmember Reese – aye, Councilmember Rohde – aye, Councilmember Wood – aye. Motion approved.

The Council returned to open session at 6:46 p.m.

The meeting adjourned at 6:47 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the February 17, 2015 City Council Meeting to order at 7:00 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Reese, Rohde, and Wood, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: City Attorney Dustin Ericson, Public Works Director Paul Fulgham, Librarian Kim Griffiths, and Police Chief David Nance.

1. **Opening Ceremony:**

Mayor Fridal welcomed all attendance and informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who

may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Councilmember Doutre and the Pledge of Allegiance was led by Councilmember Reese.

2. Introduction of guests:

Mayor Fridal introduced Danielle Rasmussen from Garland Library and Juan Lee from the State Library out of Salt Lake City.

3. Approval of Agenda:

Mayor Fridal asked if there were any changes or corrections to the Agenda. No comments were made.

Motion by Councilmember Wood to approve the agenda of February 17, 2015. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of minutes – February 3, 2015:

Mayor Fridal asked if there were any changes to the minutes. There were no comments.

Motion by Councilmember Doutre to approve the minutes of February 3, 2015. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

There were no public comments.

6. Request(s) to be on the agenda

a. Brigham/Tremonton Board of Realtor

The National Association of Realtors put together a specific *on common ground* magazine to help small towns and rural areas revitalize and put together plans and ideas. A copy of the Summer 2013 issue *on common ground*, which highlighted Brigham City, was distributed to the Council by Mr. Capener, along with the Winter 2015 issue. The Brigham/Tremonton Board of Realtors wanted the Council to know they are available for a resource regarding property rights and appreciates all Tremonton City does.

7. Department Head Report

a. Update on forming a library consortium between Tremonton and Garland Libraries (which would allow card holders to check-out books at either

Tremonton City Library or Garland City Library) and submitting a grant to the State Library to develop the consortium - Kim Griffiths, Tremonton Library Director; Danielle Rasmussen, Garland Library Director; and Juan Lee, State of Utah Library Consultant

Librarian Griffiths updated the Council on the consortium. Garland City Council approved free library cards for everyone in the County last week and approved the creation of a consortium between Tremonton and Garland Libraries. Librarians Griffiths and Rasmussen are working on consolidating policies so it will be easier for patrons. There don't appear to be any issue regarding the consortium as both Cities are supportive, but there will be a lot of work involved. Councilmember Doutre stated the consortium will be beneficial residents of both Cities and the County. Mayor Fridal asked if there is a timetable for completion. Librarian Griffiths stated the grant should be submitted quickly. Librarian Rasmussen stated the Libraries would like to be 100% ready by the end of March. Councilmember Rohde is in support of dropping the fee for all Box Elder County residents. Councilmember Wood believes it will help bring people to both Garland and Tremonton.

Manager Warnke noted that the Libraries are submitting a grant to the State for funding and asked about the timing for the grant. Librarian Rasmussen stated that the hope is that the grant will be funded and the materials purchased and in place by the end of March. Mr. Lee from the State Library commented that the funding is available right now. The timeline is dependent on the Libraries establishing the agreements. Mr. Lee will meet with Librarians Griffiths and Rasmussen on Thursday to make the final draft of the proposal. Almost everything is done, but the Librarians are collecting bids to identify the ILS that will be used at both Libraries.

Councilmember Doutre asked Mr. Lee to explain what the grant will pay for. Mr. Lee noted that Federal Funds which come from the Institute of Museum and Library Services have been given to the State Library to be administered in Utah through the LSTA (Library Services and Technology Act) Grant. The State Library has set aside funding for targeted projects across the State. When two libraries form collaboration, there is a very good chance of funding. The grant will cover the first year costs of migration including extraction of data, catalog records, and patron records which are migrated to a new ILS. The grant will also pay for necessary equipment to implement some of the new features of the new programs. If materials need to be re-labeled/re-barcoded to function in the new system, the grant can pay for the labor needed to make the changes. The grant will also pay for training, whether in person or on-line. Councilmember Reese stated that it looks like the Grant covers all setup costs. Mr. Lee confirmed it will.

Manager Warnke spoke of the inclusion of the Bookmobile. Mr. Lee and Librarian Griffiths spoke to the Bookmobile representative, Brad Rhodes. Mr. Lee stated the conversation with Mr. Rhodes was very positive. Mr. Rhodes was

supportive of dropping the non-resident fees for the County; however, the Bookmobile cannot reciprocate dropping non-resident fees for residents of Brigham, Garland, and Tremonton. In the past, some residents have abused the service by keeping items for long periods of time. To try and curb that, a fee was charged to residents of Brigham, Garland, and Tremonton, and the problem seemed to go away. At this point, the Bookmobile is not in a position to extend the same benefit to residents of Brigham, Garland, and Tremonton.

8. New Council Business:

a. Discussion and consideration of approving the December Warrant Register

Councilmember Rohde asked if the \$28K to UTOPIA (Utah Telecommunications Open Infrastructure Agency) was a monthly fee. Manager Warnke remarked that the \$28K is Tremonton City's pledge amount to UTOPIA for the costs to construct the network. There are two costs associated with UTOPIA. The first one is debt service for the cost to construct the network which is the sales tax pledge amount (which the City voted on years ago when UTOPIA issued bonds) for \$28K monthly. The other is the Operating Expense (OpEx), which has not been voted on. There is an invoice, but it is not due until the end of March for OpEx. Manager Warnke was hoping to see how the proceeds from the RUS (Rural Utility Services) settlement of the lawsuit are used and how that might affect Tremonton.

Motion by Councilmember Reese to approve the December Warrant Register. Motion seconded by Councilmember Wood. Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

b. Discussion and consideration of approving the December Financial Statement

Councilmember Doutre commented that all the departments are looking good on the December 2014 Financial Statement.

Motion by Councilmember Doutre to approve the December Financial Statement. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

c. Discussion and consideration of adopting Resolution No. 15-12 repealing Resolution No. 14-39 reaffirming, amending and enacting new fees and fines in a schedule entitled Tremonton City Consolidated Fees and Fines Schedule and provision of the collection of the fees

Manager Warnke noted that the objective was to eliminate non-resident fees for Library Cards to residents in Box Elder County.

Motion by Councilmember Reese to adopt Resolution No. 15-12. Motion seconded by Councilmember Wood. Roll Call Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- d. Discussion and consideration to surplus Recreation Truck U-31 - a 1981 Red, Chevrolet K20 (VIN # 1GCEK24L8BF381161 mileage 154,236)

Motion by Councilmember Rohde to surplus the Recreation Truck. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- e. Discussion and consideration of reappointing Planning Commission members

Councilmember Rohde noted that five seats on the Planning Commission come up for reappointment this year. Councilmember Rohde presented the name of Tom Stokes for reappointment. Mr. Stokes filled a seat in October and would like to continue with the Planning Commission. Arnold Eberhard would also like to continue on with the Planning Commission. A seat opened with Rick Seamons stepping down from the Planning Commission and Mr. Ben Greener is willing to fill the opening. Bob Anderson would also like to extend his service on the Planning Commission. Councilmember Rohde has not been able to contact Jared Summers about continuing with the Planning Commission, but would like to recommend Mr. Summers to continue with the Planning Commission and get his acceptance later.

Motion by Councilmember Rohde to let those five people move onto the Planning Commission. Motion seconded simultaneously by Councilmembers Reese and Wood. Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

9. Comments:

- a. Administration/City Manager Advice and Consent.

- 1) Manager Warnke apologized on the scheduling for the RDA Meeting. The public hearing had to be scheduled thirty days in advance, as there is a 30 day public notice period required in the State Code as such Manager Warnke had to estimate a time for the RDA Meeting. Manager Warnke commented that four Counties are going through a pilot program with the State Office of Tourism regarding branding and Main Street revitalization. Roger Brooks facilitated the meeting. Mr. Brooks spoke on the need to create a brand to revitalize Main Street. The information was vital and

timely. The information was centered on creating a brand for the County, which could trickle down potentially to the Cities. Mayor Fridal asked which Counties are involved. Manager Warnke noted that Daggett County (which includes the Flaming Gorge area), Kane County (Kanab Area), Emery County, and Box Elder County.

Director Fulgham brought it to Manager Warnke's attention that the water source for Tremonton is down. Director Fulgham explained that it is nothing to get concerned about, but it is good thing to be aware of. There is not an issue now, but there may be if the spring is not wet. There could be some dry times ahead, but hopefully, the City would not need to ration water. If citizens are required to cut back on water, the City would need to cut back on places the City uses culinary water also. There is always plenty of secondary water, and the City uses secondary water for watering in some places. The springs Tremonton uses for water have been tapering down because there have been a couple of dry years. The winter started off good, but has been very dry in January and February. Councilmember Wood asked if the water engineer has any news regarding the City's water rights. The USGS Study is still ongoing, but should be complete this spring. It may take a while to compile the data before any information is passed onto the State Engineer's Office. The State Engineer's Office controls issues relating to water rights. Councilmember Dautre asked where the City uses culinary water for watering. Director Fulgham said the City Office Building, Library, and Splash Pad all use culinary water. The City would need to run pipe to change over to secondary water. It would be difficult. The major parks: Jennie Stevens, North Park, South Park, and the Cemetery are all watered off secondary water. Alice C. Harris is even watered off of secondary water.

b. Council Reports:

Mayor Fridal commented that Utah League of Cities and Towns Conference will be held April 8, 9, & 10th in St. George. Recorder Hess has made reservations for the Council with the assumption the Council will be attending. Councilmember Wood asked if anyone had seen the agenda for the conference. No one had.

10. **7:31 p.m. Temporarily adjourn City Council Meeting and convene an RDA Meeting at 8:15 p.m.**

11. Reconvene to the City Council Meeting

Motion to reconvene to the City Council Meeting by Councilmember Reese at 9:03 p.m. Motion seconded by Councilmember Wood. Vote: Councilmember Dautre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

12. Additional Business:

- a. Discussion and consideration of adopting Ordinance No. 15-02 of the City Council of Tremonton City, Utah adopting the Tremont Center Community Development Project Area Plan, and related matters

Manager Warnke commented that based on Utah Code, the RDA had to adopt Resolution No. RDA 15-01 approving the Tremont Center Community Development Project Area Plan, which just occurred, before the City Council could consider adopting Ordinance No. 15-02. Thereafter, the Council can consider the creation of the project area.

Motion by Councilmember Doutre to adopt Ordinance No. 15-02. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

13. Adjournment.

Motion by Councilmember Reese to adjourn the meeting. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

The meeting adjourned at 9:04 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Cynthia Nelson.

Dated this _____ day of _____, 2015.

Darlene S. Hess, Recorder